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T-113 P.001/003 F-217

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 37535

Docket No. 201PP029A

Application of:

Brian Jay Vondruska

Art Unit No.: 1615

Serial No.:

10/653,609

Examiner:

Eric E. Silverman

Filed:

September 2, 2003

For:

COMPOSITIONS OF ANIONIC POLYMERIC RHEOLOGY

MODIFIERS AND CATIONIC MATERIALS

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Certificate of Facsimile Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to facsimile number 571-273-8300 at the United States Patent and Trademark Office on the date shown below:

December 21, 2006

Mary E

Sir:

Transmitted herewith are the following documents related to the above-identified application:

Response to Restriction and Election of Species - 2 pages Transmittal Letter - 1 page

Total Pages - 3

It is believed that no fee is due. However, if the Commissioner determines a fee is due, authorization is hereby granted to charge Deposit Account 50-1501.

Respectfully submitted,

Legal Department

Noveon, Inc.

9911 Brecksville Road

Cleveland, Ohio

44141-3247

216-447-5918

TTD 201PP029A restriction tl/mes

Thoburn T. Dunlap Reg. No. 31,246

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RESPONSE TO RESTRICTION AND ELECTION OF SPECIES

Sir:

This is responsive to the Office Action mailed on November 24, 2006, wherein the Examiner issued a Requirement for Restriction in the matter of the captioned application.

Election

Applicants hereby elect the claims of Group I (Claims 1 to 11) drawn to a method of compatibilizing an anionic polymeric rheology modifier.

Election of Species

The Examiner has required applicants to elect a single disclosed species for prosecution on the merits and requested the following:

Response to Restriction and Election of Species December 21, 2006 Page 2

- 1) Election of a single chemical structure that defines the rheology modifier, and
- 2) Election of a single chemical structure that defines the complexing agent.

Accordingly, the elected rheology modifier (1) is a crosslinked acrylic based copolymer polymerized from (meth)acrylic acid and a C₁₀-C₃₀ alkyl (meth)acrylate, and the complexing agent (2) is a polysilicone (dimethicone copolyol phthalate), selected from structure (I) set forth in claim 7, wherein "a" is 7, "b" and "c" are 0, R' is methyl, and R⁸ is C(O)-X, where X is aryl. A composition and method comprising species (1) and (2) is set forth in paragraph [00102] of the present specification.

Claims 1 through 11 are readable on the elected species.

Should the Examiner have any questions, please feel free to call the undersigned at the number listed below.

Respectfully submitted,

Thoburn T. Dunlay Reg. No. 31,246

Legal Department Noveon IP Holdings Corp. 9911 Brecksville Road Cleveland, Ohio 44141-3247 216-447-5918

Date: December 21, 2006

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